

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

JOHN KELLEY, *et al.*,

Plaintiffs,

v.

XAVIER BECERRA, *et al.*,

Defendants.

Civil Action No. 4:20-cv-00283-O

DEFENDANTS' CROSS-MOTION FOR SUMMARY JUDGMENT

Defendants Xavier Becerra, in his official capacity as Secretary of Health and Human Services; Janet L. Yellen, in her official capacity as Secretary of the Treasury; Martin J. Walsh, in his official capacity as Secretary of Labor; and the United States now move for summary judgment against all claims and causes of action asserted by Plaintiffs John Kelley, Joel Starnes, Gregory Scheideman, Zach Maxwell, Ashley Maxwell, Joel Miller, Kelley Orthodontics, and Braidwood Management Inc. Pursuant to local civil rule 56.3(b), each of the matters required by local civil rule 56.3(a) is set forth in the accompanying brief. For the reasons given therein, it is requested that summary judgment be granted in Defendants' favor and that this action be dismissed with prejudice.

Respectfully submitted,

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Certificate of Service

On January 28, 2022, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all parties who have appeared in the case electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Christopher M. Lynch
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